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**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE 05 APR 25 AM 11:1
WESTERN DIVISION**

LAJUANA LEWIS, on behalf of herself and all others similarly situated,)	ROBERT R. DELACLO CLERK, U.S. DIST. CT. W.D. OF TN, MEMPHIS
Plaintiff,)	
v.)	Case No. 04-2655-D
EXXON MOBIL CORPORATION,)	
Defendant.)	

**ORDER DENYING AS MOOT THE MOTION OF DEFENDANT TO DISMISS
(DOCKET ENTRY 10)**

Before the Court is the September 13, 2004 motion of Exxon Mobil Corporation (“Defendant”) to dismiss the complaint of Lajuana Lewis (“Plaintiff”), filed on behalf of herself and all others similarly situated. On February 7, 2005, the Magistrate Judge granted Plaintiff leave to file an amended complaint. Thereafter, on February 25, 2005, Defendant filed a second motion to dismiss as to the first amended complaint. As such, the first motion to dismiss is rendered moot. Accordingly, the Court denies the motion to dismiss as moot.

IT IS SO ORDERED this 25 day of April, 2005.



BERNICE BOUIE DONALD
UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 33 in case 2:04-CV-02655 was distributed by fax, mail, or direct printing on April 25, 2005 to the parties listed.

Ashley M. Barrington
WOOLF MCCLANE BRIGHT ALLEN & CARPENTER
900 Riverview Tower
900 South Gay St.
Knoxville, TN 37902

Shelia B. Renfroe
THE RENFROE LAW FIRM, PLLC
P.O. Box 770095
Memphis, TN 38177--009

John E. Norris
THE RENFROE LAW FIRM
P.O. Box 770095
Memphis, TN 38177--009

Howard E. Jarvis
WOOLF MCCLANE BRIGHT ALLEN & CARPENTER, PLLC
900 S. Gay St.
Ste. 900
Knoxville, TN 37902--181

D. Frank Davis
THE RENFROE LAW FIRM
P.O. Box 770095
Memphis, TN 38177--009

Honorable Bernice Donald
US DISTRICT COURT